

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

In re: Debtor(s) name(s) used by the debtor(s) in the last 8 years, including married, maiden, and trade):

Jeffrey M. Garber
Debtor 1

Specialized Loan Servicing, LLC
Movant(s)

v.

Jeffrey M. Garber

Respondent(s)

Jack N. Zaharopoulos, Esquire
Standing Chapter 13 Trustee

Additional Respondent

Chapter 13

Case No. 1:23-BK-00249-HWV

Matter: Motion for Relief from the Automatic Stay

Document No. 47

**DEBTOR(S)' ANSWER TO MOVANT(S)' MOTION
FOR RELIEF FROM THE AUTOMATIC STAY**

AND NOW, come the Debtor(s), Jeffrey M. Garber, through their attorney, Paul D. Murphy-Ahles, Esquire and DETHLEFS PYKOSH & MURPHY, who files the within Debtor(s)' Answer to Movant(s)' Motion for Relief from the Automatic Stay and aver as follows:

1. Admitted in part. It is admitted that Debtor(s) filed a voluntary petition pursuant to Chapter 13 of the United States Bankruptcy Code on February 6, 2023. The remaining averments as stated in Paragraph 1 contain a conclusion of law to which no response is required.

2. Upon information and belief, the averments as stated in Paragraph 2 are admitted.

3. Upon information and belief, the averments as stated in Paragraph 3 are admitted.

4. Upon information and belief, the averments as stated in Paragraph 4 are admitted.

5. Upon information and belief, the averments as stated in Paragraph 5 are admitted.

6. Admitted.

7. Admitted in part. Upon information and belief, the averments regarding the executed promissory note are admitted. Debtor(s) are without sufficient knowledge as to Movant(s)' actions if the original promissory note is lost or destroyed.

8. Admitted. By way of further response, as indicated in the Original Plan, Debtor(s) intent to list the property on the open market for sale as there is equity in the property to pay Movant(s) in full and provide for distribution to allowed

and timely filed proof of claims. Further, relief from the stay and foreclosure of the property will be detrimental to creditors in this case as the proceeds from the sale can be distributed.

9. Admitted. By way of further response, as indicated in the Original Plan, Debtor(s) intent to list the property on the open market for sale as there is equity in the property to pay Movant(s) in full and provide for distribution to allowed and timely filed proof of claims. Further, relief from the stay and foreclosure of the property will be detrimental to creditors in this case as the proceeds from the sale can be distributed.

10. Upon information and belief, the averments as stated in paragraph 10 are admitted.

11. Admitted.

12. Paragraph 12 contains a conclusion of law to which no response is required.

13. Admitted. By way of further response, as indicated in the Original Plan, Debtor(s) intent to list the property on the open market for sale as there is equity in the property to pay Movant(s) in full and provide for distribution to allowed and timely filed proof of claims. Further, relief from the stay and foreclosure of the property will be detrimental to creditors in this case as the proceeds from the sale can be distributed.

14. Paragraph 14 contains a conclusion of law to which no response is required.

15. Paragraph 15 contains a conclusion of law to which no response is required.

WHEREFORE, Debtor(s) requests this Court deny the requested relief.

Respectfully submitted,
DETHLEFS PYKOSH & MURPHY

Date: June 27, 2023

/s/ Paul D. Murphy-Ahles

Paul D. Murphy-Ahles, Esquire
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Attorney for Debtor(s)

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CERTIFICATE OF SERVICE

I hereby certify that on Tuesday, June 27, 2023, I served a true and correct copy of the **Debtor(s)' Answer to Movant(s)' Motion for Relief from the Automatic Stay** in this proceeding via electronic means upon the following:

Michelle McGowan, Esquire
Robertson, Anschutz, Schneid, Crane & Partners, PLLC
13010 Morris Road, Suite 450
Alpharetta, GA 30004
Counsel for Movant(s)

Jack H. Zaharopoulos, Esquire
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036

Office of the United States Trustee
Sylvia H. Rambo US Courthouse
1501 North Sixth Street, 3rd Floor
Harrisburg, PA 17102

/s/ Kathryn S. Greene

Kathryn S. Greene, RP®, Pa.C.P.
Paralegal for Paul D. Murphy-Ahles, Esquire